

1655

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

LEVINE et al.

Atty. Ref.: JSP-4110-42

Serial No. 10/536,800

TC/A.U.: 1655

Filed: May 27, 2005

Examiner: C. Chen

For: SOLID MUCOADHESIVE COMPOSITION

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August 29, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO/SB/08a. One copy of the reference(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement ("IDS") is being filed within three (3) months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

This application was filed after June 30, 2003 so that copies of U.S. Patent Publications are not required and are not attached.

This IDS is being filed more than three (3) months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. I hereby certify that each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).

b. I hereby certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c)

more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(2).

c. Attached is our check in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Dep Acct No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

This IDS is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 to cover payment of the petition fee under 37 C.F.R. 1.17(I)(1). Please credit or debit Deposit Account No. 14-1140 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

a. I hereby certify that each item of information contained in this IDS was first cited in the attached communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this IDS. 37 C.F.R. 1.97(e)(1).

b. I hereby certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. 1.97(e)(2).

Relevance of the non-English language reference(s) is discussed in the present specification.

The references were cited in co-pending U.S. application Serial No. 10/478,718.

A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix hereto.

The Examiner's attention is directed to co-pending U.S. Patent Application No. , filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent.

The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Copies of the references were cited by or submitted to the Office in parent Application No._____, filed _____ and are being resubmitted herein for the Examiner's consideration. Form PTO 1449 is attached with copies of the

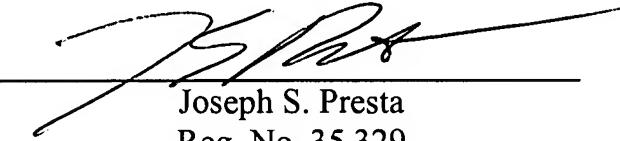
aforementioned references.

Please charge any fee associated with the filling of this paper to our Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO.	SERIAL NO.
		4110-42	10/536,800
		APPLICANT	
		LEVINE et al.	
(Use several sheets if necessary)		FILING DATE	GROUP
		May 27, 2005	1655

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004/0151789	8/2004	LEVINE et al.			
	5,723,143	3/1998	JACQUES et al.			
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	6,039,949	3/2000	PERO			

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DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
98 42188	10/1998	WIPO				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

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	CHAVEZ ET AL; "SAINT JOHN'S WORT"; Hospital Pharmacy, Lippincott, Philadelphia, US, vol. 32, no. 12, 1997, pages 1621-1628 and 1631-1632, XP000913486.
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	HANS BRAUN: "HEILPFLANZEN-LEXIKON FUR ARZTE UND APOTHEKER", 1981, Gustav Fisher Verlag, Stuttgart, pages 68-69, 197-198, 120-121 and 87. XP002211676.
	J. BRUNETON: "PHARMACOGNOSY PHYTOCHEMISTRY MEDICINAL PLANTS"; 1999, Lavoisier Publishing, Paris, pages 175, 703-704, 441-442 and 366-367, XP002211677.
	"ECHINACEA"; Honest Herbal: A Sensible Guide to the Use of Herbs and Related Remedies, Pharmaceutical Products Press, New York, NY, US, 1993, pages 115-117, XP002914645.
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	Ceschel et al., "Design and Evaluation of Buccal Adhesive Hydrocortisone Acetate (HCA) Tablets", Drug Delivery, Vol. 8, pages 161-171.

*Examiner	Date Considered
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Initial a this form with next communication to application.	